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*Attorneys for The SCO Group, Inc.*

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

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THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff

**UNSEALED EXHIBITS TO  
MEMORANDUM IN SUPPORT OF  
PLAINTIFF'S RENEWED MOTION  
TO COMPEL**

[Docket No. 191]

Case No. 2:03CV0294DAK  
Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

# **EXHIBIT I**

**In The Matter Of:**

**THE SCO GROUP, INC., v.  
INTERNATIONAL BUSINESS MACHINES CORPORATION**

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**DAVID P. RODGERS**

*June 10, 2004*

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**RODGERS, DAVID P.**



DAVID P. RODGERS

<p style="text-align: right;">Page 117</p> <p>1 semaphores work in order to perform better. The 2 semantics of a -- perhaps I should say that a semaphore 3 is a software object that allows for multiple users of a 4 single resource to coordinate their access to that 5 single resource so that they don't collide.</p> <p>6 The meaning of a semaphore in System V is 7 different than the meaning of a semaphore release in 8 BSD, and the consequence of that difference in meaning 9 is that System V is less efficient. So in the case of 10 Sequent, we modified, in the sense of augmentation, the 11 way that System V semaphores work so that they were as 12 efficient as the Dynix operating system made them be.</p> <p>13 Q. Just to interrupt your train of thought for 14 just one second, when you talk about the System V 15 semaphores, is that also sometimes referred to as 16 System V IPCs?</p> <p>17 A. IPC is one of the users of it, but that's 18 not -- it's not the same.</p> <p>19 Q. So it's a subset of semaphores, or am I 20 overstating?</p> <p>21 A. Interprocess communication is a bigger concept 22 than -- than a semaphore.</p> <p>23 Q. Okay. I didn't mean to interrupt. So you 24 were saying the things that you believed that Sequent 25 modified from System V is modified the way that the</p>	<p style="text-align: right;">Page 119</p> <p>1 doing X, Y and Z?" 2 A. Yes. 3 Q. Are there any other instances that you can 4 identify for us where Sequent modified System V code for 5 use in any of its Dynix products?</p> <p>6 A. I'm struggling to think of another example. 7 But I would say, generally, there were also lots of 8 adaptations where the system product code was modified 9 in some largely cosmetic way to make it compatible with 10 the compiler technology we were using. For a variety of 11 reasons, the binary output format for System V and the 12 binary output format for Berkeley are different in an 13 incompatible way. And so we would have done 14 adaptations, essentially low-value changes, so that the 15 binary output formats could be compatible.</p> <p>16 Q. If I'm trying to determine all of the 17 instances of modifications, meaning either new or 18 adaptations, in Dynix that came from System V and a 19 developer was not being a good boy that day, how would I 20 go about determining anything else that was modified 21 or -- modified from System V?</p> <p>22 M.R. KAO: Objection to form.</p> <p>23 THE WITNESS: First, I would say it would be 24 an extremely difficult assignment because the 25 modifications would have taken place over an extended</p>
<p style="text-align: right;">Page 118</p> <p>1 semaphores work. Is there anything else?</p> <p>2 A. I'm sure there were many other things, but -- 3 and not least of which is adapting System V to run in a 4 large-scale multiprocessor environment, to do resource 5 management in a way that was more efficient with a large 6 number of processors.</p> <p>7 A small diversion here. The common wisdom at 8 the time was that -- driven largely by the mainframe 9 world, was that multiprocessors stopped being more 10 efficient than uniprocessors at about four processors, 11 which was a true statement but only true because of the 12 way that the operating systems were implemented.</p> <p>13 So coming back to your question, there were 14 lots of modifications underneath the covers that allowed 15 for the System V semantics to be expressed in an 16 efficient way on a larger-scale multiprocessor.</p> <p>17 Q. Well, if I were to look at Dynix code, for 18 example, how would I be able to determine the 19 modifications of the System V semaphores that now 20 appears in the Dynix code?</p> <p>21 A. The simple answer is I don't know. The more 22 complicated answer is if the software developer was 23 being a good boy that day, they would have commented it.</p> <p>24 Q. The comment would have indicated that "These 25 semaphores are from System V, and I've changed it by</p>	<p style="text-align: right;">Page 120</p> <p>1 period of time by many people.</p> <p>2 An approach that I would adopt, if I were 3 given that assignment, is to see if I could recover the 4 RCS logs. Sequent, like many companies, maintain a 5 source control system called RCS; and I would attempt to 6 recover, from some archival storage medium, the RCS 7 logs.</p> <p>8 M.R. HEISE: Q. In this same sentence that we 9 were just discussing -- we just got done talking about 10 the modification to the Unix System V. What was your 11 understanding of the right to, quote, prepare derivative 12 works based upon such products, meaning Unix System V?</p> <p>13 A. I think my interpretation is straightforward. 14 It means incorporate some or all of the source code, the 15 object code, or the documentation into a resultant 16 source, object, or document.</p> <p>17 Q. Can you identify for us, in Sequent's Dynix 18 products, any source, object, or documentation that was 19 incorporated from Unix System V?</p> <p>20 A. I don't have specific knowledge.</p> <p>21 Q. Do you know whether, in fact, that did take 22 place?</p> <p>23 A. Well, we can infer from the earlier discussion 24 that certainly some of the parameterization files might 25 have been incorporated and certainly some of the release</p>

# **EXHIBIT J**

[http://w3.austin.ibm.com/:/projects/aix\\_cd/modules/cmvc/introduction.htm](http://w3.austin.ibm.com/:/projects/aix_cd/modules/cmvc/introduction.htm)

## CMVC Introduction

### Introduction

This section contains:

- What is CMVC?
- Where to find more information

Welcome to the Configuration Management Version Control (CMVC) training document. In this document you will learn how CMVC is used in your work environment and how you can use it to become more productive and collaborate with others.

This introduction will explain what CMVC is, why it is important to your work environment and provide you with some references to more information on CMVC.

#### What is CMVC? (Technical Description)

CMVC stands for Configuration Management Version Control. It is used by the AIX development organization as well as many other areas inside of IBM.

CMVC provides configuration management, version control, change control, and problem tracking in a distributed development environment to facilitate project-wide coordination of development activities across all phases of the product development life cycle.

Configuration management is the process of identifying, managing and controlling software modules as they change over time. Version control is the storage of multiple versions of a single file along with information about each version.

Shared access to all development data is supported by storing all files and information on a central server and providing access control that can be configured for each component of data. CMVC provides two types of change control. The first type controls access to files and requires files to be locked while changes take place. The second type complements the first with a mechanism for tracking all file changes across multiple products and environments. You can track both problem correction and design implementation.

The integration of problem and design tracking with change control provides a systematic, configurable approach to tracking the file changes made to resolve a reported problem or to implement a proposed design. With CMVC, you can organize your development data for effective development tracking.

#### What is CMVC (Simplified Description)

Note: Sometimes when you hear the term "release", it refers to the release of the product, e.g. 510\_43V and sometimes it refers to a track e.g. bsp510\_rspc43V. In the verbiage below, release refers to the release of the product.

What the above section conceptually boils down to is that all levels of all files (the unit of software stored in CMVC) are stored on a central server and are available for viewing and or updating by those with the proper authority.

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Parallel to that is problem tracking, which is done with "defects", which are created to document and track bugs in the software. Similar to defects are "features" which are used to track enhancements to the software. Defects and features contain "tracks". A track represents a portion of a release, (which is a particular level of the product). A defect can represent a problem in multiple releases, so a defect may have multiple tracks (e.g. bos43V, bos510)... even multiple tracks for a release (e.g. bos510, pkg510).

Files that are modified to fix the bugs are associated with a particular track. There can be multiple files associated with a track, multiple tracks associated with a release and multiple releases associated with a defect.

Using the file information, defect information and reporting capability (documented later) it is possible to tie specific file changes to specific problems and generate statistics to monitor and improve the development process.

#### **Where to find more information**

*Note: Be sure the information you reference is consistent with the level of CMVC you are using. Lesson 1 (Setting up CMVC) tells you how to determine the CMVC level you are using.*

- CMVC Documentation

Continue to Lesson 1 (Setting up CMVC)

**CERTIFICATE OF SERVICE**

Plaintiff/Counterclaim Defendant, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing was served on Defendant IBM on the 5<sup>th</sup> day of July, 2005 by U.S. Mail to:

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